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EXTRAORDINARY

PART II—Section 2

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COUNCIL OF STATES

The following Bill was introduced in the Council of States on the 22nd December, 1953:—

BILL No. XXXI OF 1953

A Bill further to amend the Dentists Act, 1948.

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Dentists (Amendment) Act, 1953.

2. Amendment of section 1, Act XVI of 1948.—In section 1 of the Dentists Act, 1948 (hereinafter referred to as the principal Act), in sub-section (2), for the words and letter “Part B States” the words “the State of Jammu and Kashmir” shall be substituted.

3. Amendment of section 2, Act XVI of 1948.—In section 2 of the principal Act,—

(i) in clause (f), after the words, figures and brackets “the Indian Medical Council Act, 1933 (XXVII of 1933)” the words “or specified in any other law for the time being in force in any State” shall be inserted;

(ii) for clause (m), the following clause shall be substituted, namely:—

“(m) references to “State” and “States” shall be construed as excluding any reference to the State of Jammu and Kashmir or to the territories for the time being comprised within the said State.”

4. Amendment of section 3, Act XVI of 1948.—In section 3 of the principal Act, for clause (e), the following clause shall be substituted, namely:—

“(e) one member to represent each Part A State and Part B State other than the State of Jammu and Kashmir, nominated by the Government of each such State from among persons registered either in a medical register or a dental register of the State;”.

5. Amendment of section 21, Act XVI of 1948.—In section 21 of the principal Act, after clause (e), the following proviso shall be inserted at the end, namely:—

“Provided that in the State of Saurashtra the State Dental Council constituted under Saurashtra Ordinance No. XXV of 1948, as amended by Saurashtra Ordinance No. XL of 1949, shall be deemed to be the State Council constituted under this Act.”

6. Amendment of section 33, Act XVI of 1948.—In section 33 of the principal Act, in sub-section (1), for the last proviso, the following proviso shall be substituted, namely:—

“Provided further that for the purposes of the first preparation of the register of dentists under this Act, a person shall be entitled to have his name entered in the appropriate part of the register without payment of any registration fee,—

(a) in the State of Saurashtra, if he is registered on the register of dental practitioners maintained under Saurashtra Ordinance No. XXV of 1948, as amended by Saurashtra Ordinance No. XL of 1949; or

(b) in Travancore-Cochin, if he is registered on the register of dental practitioners maintained under the Travancore Medical Practitioners Act, 1119.”

STATEMENT OF OBJECTS AND REASONS

The Dentists Act, 1948 (XVI of 1948) does not at present apply to Part B States. In consultation with the Governments of Part B States, it is now proposed to extend the Act to all Part B States except the State of Jammu and Kashmir. Such consequential amendments to the Act as are necessary on account of the extension of the Act to Part B States except Jammu and Kashmir are also intended to be enacted.

A. KAUR.

NEW DELHI;

The 7th December, 1953.

FINANCIAL MEMORANDUM

The extension of the Act to Part B States would involve expenditure from the Consolidated Fund of India and from the revenues of the Governments of Part B States to which the Act is proposed to be extended. The additional expenditure that is likely to be incurred from the Consolidated Fund of India is indicated in the following paragraphs.

2. After the Dentists Act, 1948, is extended to Part B States, these States will become entitled to send two representatives each (one elected and one nominated) as members of the Dental Council of India. Assuming that the State Governments will agree to bear the expenditure on the Travelling Allowance and Daily Allowance of the 7 members to be nominated by them under clause (e) of section 3 of the Act, as is being done by the Governments of Part A States except Bihar, the estimated expenditure on the Travelling Allowance of the remaining 7 elected members from the Part B States would amount to Rs. 2,740 per annum as detailed below:—

	Rs.	Rs.
Mysore		
Travancore-Cochin	} 670x2	= 1,340/-
Rajasthan, Pepsu and Madhya Bharat	} 200x3	= 600/-
Hyderabad	300x1	= 300/-
Saurashtra	500x1	= 500/-
TOTAL . . .	= 2,740/-	per annum.

This expenditure is on the assumption that the Dental Council of India will meet once in a year at New Delhi.

3. In addition to the expenditure on the Travelling Allowance and Daily Allowance, the Central Government will be responsible for meeting the expenditure on the election of one member from each Part B State under clause (a) of section 3 of the Dentists Act, 1948. In view of the fact that the amount of expenditure on such elections in the States will depend on the size of the electoral roll and other local conditions in each State and must vary from State to State, any estimate of such expenditure can only be tentative. In connection with a recent election to the Dental Council of India from the State of Madras, the actual expenditure amounted to Rs. 1,145. If we base our estimate on this figure, the cost of 7 elections in the Part B States may amount to Rs. 7,000 every five years.

4. The total estimated expenditure involved on account of the extension to all Part B States of the Dentists Act, 1948, will, therefore, be as follows:—

Recurring

(i) Travelling Allowance of 7 members... Rs. 2,740 per annum from Part B States.

The expenditure will, however, amount to Rs. 5,480 or approximately Rs. 5,500 if the Council holds two meetings during a financial year.

(ii) Expenditure on elections to the Council...Rs. 7,000 Every 5 years.

In this connection it may also be mentioned that after the Dentists Act, 1948 is extended to the Part B States, the income of the Dental Council of India will also increase as the Council is entitled, under section 53 of the Act, to 25 per cent. of the registration fees realised by the States Dental Councils during a year.

S. N. MUKERJEE,
Secretary